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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name: Elie H. Gendloff

Signature: 

TECH CENTER 1600/2900

Re: U.S. Utility Patent Application Serial No. 09/918,951 Filed July 31, 2001
Title: THE iniB, iniA, AND iniC GENES OF MYCOBACTERIA
AND METHODS OF USE
Inventors: David Alland, Barry R. Bloom and William R. Jacobs, Jr.
Our File: 96700/680

Dear Sir:

Enclosed please find the following documents for filing with the above-identified utility patent application in the names of David Alland, Barry R. Bloom and William R. Jacobs, Jr., entitled THE iniB, iniA, AND iniC GENES OF MYCOBACTERIA AND METHODS OF USE, comprising the following:

1. Reply to Restriction Requirement (2 pages); and
2. Return receipt postcard.

Commissioner for Patents
MS Non-Fee Amendment

-2-

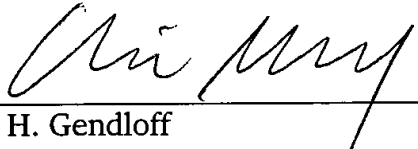
June 12, 2003

Please acknowledge receipt of the enclosed papers by stamping the enclosed postcard and returning the same to us.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN
Attorneys for Applicant
90 Park Avenue
New York, New York 10016
(212) 697-5995

Dated: June 12, 2003
New York, New York

By: 
Elie H. Gendloff
Registration No. 44,704



Dkt. No. 96700/680

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David Alland, Barry R. Bloom and William R. Jacobs, Jr.
Serial No. : 09/918,951
Filed : July 31, 2001
For : THE iniB, iniA AND iniC GENES OF MYCOBACTERIA AND
METHODS OF USE
Examiner : Rodney P. Swartz, Ph.D.
Group Art Unit : 1645

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REPLY TO RESTRICTION REQUIREMENT

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Name: Elie H. Gendloff

Signature: 

Sir:

This Reply is in response to the May 15, 2003 Office Action imposing an restriction requirement to the claims of the above-identified application. A response to the Office Action is due June 15, 2003. Accordingly, this Reply is being timely filed.

Election/Restriction

The March 11, 2003 Office Action imposes a restriction of the pending claims into two groups:

- Group I, claims 46 and 48-51, drawn to methods of determining drug effectiveness;
- Group II, claim 47, drawn to drugs.

Applicant : David Alland, *et al.*
Serial No. : 09/918,951
Filed : July 31, 2001
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In response to the above restriction requirement, applicants elect Group I, without traverse.

Conclusion

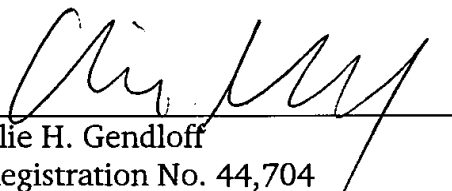
With this Reply, applicants believe that all preliminary matters are resolved. Accordingly, examination of elected claims 46 and 48-51 is requested. If there are any minor matters preventing this examination, applicants request that Examiner Swartz contact the undersigned attorney.

Applicants believe that no fee is required with this Reply. Authorization is hereby given to charge any unanticipated fee deficiency to Deposit Account No. 01-1785.

Respectfully submitted,

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Dated: June 12, 2003
New York, New York

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